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SUBJECT: NEW UN SPECIAL RAPPORTEUR ON HUMAN RIGHTS IN BURMA
GETS DOWN TO WORK

Classified By: Deputy Chief of Mission Mark Storella. Reasons: 1.4 (b/d).

¶1. (C) SUMMARY: Tomas Ojea Quintana, who recently assumed the mandate of UN Special Rapporteur on the Human Rights Situation in Myanmar, told us June 4 that he has much to learn about that country but is determined to use his experience as an Argentine human rights lawyer to press hard for democracy in Burma. Ojea Quintana submitted his visa request to the Burmese government promptly after assuming his mandate but has yet to get a reply, and expressed uncertainty about the prospects of an early trip to Burma. He stressed that like his predecessor, he hopes to have strong working relations with the USG. END SUMMARY

A NEWCOMER ON BURMA ISSUES

¶2. (C) Visiting Geneva to present his report to the Human Rights Council on the situation in Burma, Ojea Quintana told us in a spontaneously arranged introductory meeting on June 4 that he has been working intensely to develop his knowledge about Burma since assuming his mandate on May 1. He acknowledged having little background on the subject and said that he had initially been surprised at being selected to fill it. He stressed, however, that his years as a human rights lawyer prepared him reasonably well to press for freedom for the Burmese people. Juntas in Argentina, even at their worst, had been far less brutal than the Burmese regime, but he hoped to draw both tactical and strategic lessons for his mandate from having confronted Argentine military rule.

SEEKING AN EARLY TRIP TO BURMA

¶3. (C) Ojea Quintana said that soon after taking over his mandate, he had written a condolence letter to the GoB for the cyclone victims, as well as a letter requesting a visa to travel to Burma. The Burmese government had responded to the former but not to the latter communication, and Ojea Quintana said he was uncertain about the prospects for gaining entry to the country to examine the situation there, as requested in the most recent Council resolution on the subject. Travel to Burma would be a key focus of his initial conversation with the Burmese ambassador to Geneva.

HRC REPORT

¶4. (C) The other focus of that conversation would be his report to the Council. Ojea Quintana said the report, which is to be presented to the Council on June 6 as part of a follow-up to the Council's special session on Burma, would be based to a large extent on material prepared by his

predecessor, Paolo Pinheiro, but would also address the human rights situation over the past month, involving both the referendum and the human rights implications of the GoB's awful response to the Cyclone Nargis humanitarian situation. Ojea Quintana demurred when asked to describe the approach his report would take toward the referendum.

WORKING WITH GAMBARI, ASEAN

15. (C) In addition to working with Pinheiro, Ojea Quintana said he also would be working closely with Special Advisor Ibrahim Gambari, with whom he had initiated contact but whom he had not yet met. We noted the need to complement the work of Gambari rather than doing anything that might undercut it; Ojea Quintana said he was extremely well aware of the importance of doing so and saw supporting the broader work of the Security Council as an underlying purpose of his mandate. itQS=aQBAC3

16. (C) Dealing with ASEAN would be among his biggest challenges, Ojea Quintana continued. He would have to be sensitive to ASEAN states' predilection toward avoiding a confrontational approach, yet press to the extent possible for ASEAN to play a genuinely constructive role. His dealings with other Latin American governments, including through the Organization of American States, while pressing for human rights in Argentina would offer lessons.

A PLEDGE TO WORK CLOSELY WITH THE USG

17. (C) We urged that Ojea Quintana establish the kind of excellent ties with the USG, including with our Mission, that

his predecessor had maintained. He made a point of saying that he hoped for precisely such ties, including early on, while he is developing his knowledge about Burma. (Indeed, his staffer insisted that our meeting be low-key because Ojea Quintana had wanted to meet with the U.S. delegation before any other and did not want others to feel slighted.)

BIO INFORMATION

18. (SBU) Although he stressed to us that his background also includes criminal law, Ojea Quintana's broadest experience lies in human rights law. He most recently represented the Argentinean NGO "Abuelas de Plaza de Mayo" in cases concerning child abductions during the military regime, and serves as a Special Advisor to the Human Rights Committee of the Argentine House of Representatives. He previously worked at the Inter-American Commission on Human Rights and as Executive Director of the Office of the High Commissioner for Human Rights (OHCHR) Program for the Protection and Promotion of Human Rights in Bolivia. Ojea Quintana speaks English fluently.

COMMENT

19. (C) The selection of Ojea Quintana, with his lack of any background on Burma, had been unexpected, although Pinheiro too had had no Burma experience before he took on the mandate, and he was able to pursue a strong critique of Burma during his six years on the job. Ojea Quintana has much to learn, and in his conversation with us, he left plenty of uncertainties about his approach toward his mandate. Nonetheless, he struck us as determined to press hard on human rights in Burma, and his apparent desire for good ties with the USG is also heartening.

TICHENOR